IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 36759 of 2007(S)

PETITIONER:

JESSY GEORGE,
W/O.RAVI KUMAR,
AGED 39 YEARS, ANAMTHURUTHY HOUSE,
JANATHA, VYTTILA P.O., ERNAKULAM.

BY ADV. SRI.T.GOPALAKRISHNAN
SMT.M.MADHUBEN

RESPONDENTS:
---

1. UNION OF INDIA
REPRESENTED BY THE DIRECTOR, MINISTRY OF INFORMATION & BROADCASTING, A WING, 6TH FLOOR, SASTHRI BHAVAN, RAJENDRA PRASAD MARG, NEW DELHI-01.

2. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT, DEPARTMENT OF CULTURAL AFFAIRS, THIRUVANANTHAPURAM.

3. PRESIDENT, PROGRAMMES,
AMRUTHA T.V., NEAR COTTON HILL,
VAZHUTHAKADU P.O., TRIVANDRUM.

R1 BY SRI.P.PARAMESWARAN NAIR, ASSISTANT SOLICITOR GENERAL
R2 BY SENIOR GOVERNMENT PLEADER SMT.K.MEERA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.M.JOSEPH, J.

W.P.(C) No.36759 of 2007-S

Dated, this the 12th day of December, 2007

JUDGMENT

K.M.Joseph, J.

This writ petition is filed seeking a direction to the third respondent to alter the criteria regarding eligibility of the participant in VANITHA RATNAM II-2008. The other prayer is to direct the respondents to extend the date to register for the Audition Test since December 10, 2007 as the last date.

(2). The brief facts of the case are as follows: The petitioner is a house wife having no issues. She is an artist having interest in singing, dancing etc. It is her case that the third respondent invited applications from candidates for selection as VANITHA RATNAM-II 2008. She is childless. The criteria fixed for eligibility that the applicant should be a mother, according to her, is without any basis.

(3). The prayer sought in the writ petition is against the third respondent. The third respondent, the President, Programmes, Amrutha T.V. is not an authority under Article 12 of the Constitution of India. There is no allegation in the writ petition that the third respondent is an authority under Article 12 of the Constitution. We do not know how a writ of mandamus can be sought against the third respondent. There is no case that there is a public duty cast on the third respondent under any provisions of law, contract or custom. The learned counsel for the petitioner submits that the petitioner has approached the first respondent. The learned counsel is not able to point out

any provision of law under which a direction can be issued to the third respondent to include a person like the petitioner as a candidate for selection as VANITHA RATHNAM-2008. In the absence of a legal duty cast on the third respondent, no writ of mandamus can be issued against the third respondent. The writ petition lacks merits and accordingly it is dismissed.

Ordered accordingly.

(**H.L.DATTU)**
CHIEF JUSTICE

(K.M.JOSEPH)
JUDGE

MS